

EXECUTIVE

Executive
4th December 2017
Agenda Item No. 4

Minutes of a meeting of the Executive of the Bolsover District Council held in the Council Chamber, The Arc, Clowne on Monday 6th November 2017 at 1000 hours.

PRESENT:-

Members:-

Councillor A.M. Syrett in the Chair

Councillors M.J. Dooley, S.W. Fritchley, K. Reid, M.J. Ritchie and B. Watson

Officers:-

D. Swaine (Chief Executive Officer), L. Hickin (Strategic Director), K. Hanson (Strategic Director), S. Sternberg (Assistant Director – Legal and Governance, Monitoring Officer and Solicitor to the Council), D. Clarke (Assistant Director – Finance and Revenues & Benefits), S. Brunt (Assistant Director – Streetscene), P. Campbell (Assistant Director – Community Safety and Head of Housing (BDC), S. Chambers (Communications Manager), R. Routledge (Interim Planning Policy Manager) and A. Brownsword (Senior Governance Manager)

0348. APOLOGY

An apology for absence was received from Councillor B.R. Murray-Carr.

0349. URGENT ITEMS OF BUSINESS

There were no urgent items of business.

0350. DECLARATIONS OF INTEREST

There were no declarations of interest.

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0351. MINUTES OF AN EXTRAORDINARY MEETING OF THE EXECUTIVE HELD ON 26TH SEPTEMBER 2017

Moved by Councillor M.J. Ritchie and seconded by Councillor K. Reid

RESOLVED that the minutes of an Extraordinary meeting of the Executive held on 26th September 2017 be approved as a true and correct record.

0352. MINUTES – 9TH OCTOBER 2017

Moved by Councillor M.J. Ritchie and seconded by Councillor K. Reid

RESOLVED that the minutes of a meeting of the Executive held on 9th October 2017 be approved as a true and correct record.

0353. MINUTES OF AN EXTRAORDINARY MEETING OF THE EXECUTIVE HELD ON 17TH OCTOBER 2017

Moved by Councillor B. Watson and seconded by Councillor A.M. Syrett

RESOLVED that the minutes of an Extraordinary meeting of the Executive held on 17th October 2017 be approved as a true and correct record.

0354. ITEMS RECOMMENDED BY SCRUTINY COMMITTEE

There were no items recommended by Scrutiny Committees

0355. POLICY AND BUDGET FRAMEWORK ITEMS

There were no policy and budget framework items.

0356. NON KEY DECISION NEIGHBOURHOOD PLANNING PROTOCOL – UPDATE

The Interim Planning Policy Manager presented the report which updated the Executive on recent legislative changes and their impact on the Council's Neighbourhood Planning Protocol and Statement of Community Involvement and sought approval for an updated Neighbourhood Planning Protocol.

A discussion took place on the funding available from the Government to offset the costs of developing Neighbourhood Plans and it was noted that referendums could cost in the region of £6000.

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The Interim Planning Policy Manager noted that Neighbourhood Plans were more about preserving the character of an area. It was noted that a Neighbourhood Plan should complement but not override the Local Plan.

The Chief Executive Officer noted that the preparation of Neighbourhood Plans was resource intensive and could cause a spike in the workload of departments, particularly the Elections Team.

Moved by Councillor S.W. Fritchley and seconded by Councillor M.J. Dooley

RESOLVED that (1) the Executive notes the detailed issues set out in the report,

(2) approves the updated Neighbourhood Planning Protocol Service Level Agreement (attached as Appendix A to the report).

REASON FOR DECISION: Based on the changes in recent legislation, the Planning Protocol for neighbourhood planning initiatives has been updated and expanded. It was considered that a protocol is a useful tool to set out the advice and assistance the Council will give in relation to neighbourhood planning initiatives in the District.

OTHER OPTIONS CONSIDERED: The proposals relate to amendments to the adopted Neighbourhood Planning Protocol to bring it in line with recent legislation. There is no realistic alternative.

(Interim Planning Policy Manager)

0357. **NON KEY DECISION** **MARKETING BOLSOVER DISTRICT – A JOURNEY THROUGH** **BOLSOVER**

The Communications Manager presented the report which sought approval for an investment of £25,000 to market Bolsover District to a wide range of audiences including investors, businesses, tourists, general public and the local community.

The money would be used to produce a high quality and innovative video that would portray the District in a positive light and promote what the District had to offer. It would also be used for printing, advertising and a booklet for each of the four town centres.

Approval was also sought to increase the production of the Council's InTouch publication from 3 to 4 per year. This would mean the inclusion of a Parish page for events/information etc.

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Moved by Councillor S.W. Fritchley and seconded by Councillor A.M. Syrett

RESOLVED that £25,000 be allocated from the Transformation Reserve budget to fund the production of the video and associated marketing materials.

REASON FOR DECISION: The report recommended an increase in the number of Intouch editions published per year and the production of a promotional video to showcase what the District had to offer and to promote it to various companies and businesses and also create specific marketing campaigns arising from the videos. Promoting the District in an innovative way could have added benefits such as attracting more investment, business expansion and increasing the numbers of tourists visiting and spending money in the local economy.

OTHER OPTIONS CONSIDERED: Do nothing. Continue to do the same as every other authority and compete to attract investment into the area as we always have.

(Communications Manager)

**0358. KEY DECISION
STREETSCENE SERVICE ARRANGEMENTS – ACCESS TO
PRIVATE UNADOPTED RESIDENTIAL CARRIAGEWAYS**

The Assistant Director – Streetscene presented the report which sought authority to enter into indemnity agreements with developers and their management companies to facilitate access over roads on new housing developments which had not been adopted by Derbyshire County Council.

At its meeting on 11th September 2017, the Executive had instructed the Chief Executive Officer to raise the issue with wider Derbyshire Chief Executives who share the Council's view.

A discussion took place regarding the County Council's responsibilities regarding the adoption of new highways.

Moved by Councillor M. Dooley and seconded by Councillor S.W. Fritchley

RESOLVED that the Executive:

- (a) Note the County Council's continued position in the adoption of highway infrastructure at new-build housing developments is in accordance with the '6C's Highway Design Standards'.
- (b) The Chief Executive Officer writes to the County Council urging them to review their policy position in light of revised the '6C's Design Guide' and their duty to adopt highways in line with The Highways Act (Section 38),

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- (c) Approves the policy approach of entering in to 'indemnity agreements' with developers or their successors in title at new housing developments, in particular developments where streets are not adopted and where the Council has need to access such to deliver local services.
- (d) The Assistant Director of Streetscene exercises delegated authority to enter in to 'indemnity agreements' with developers and/or their management company/successors in title to facilitate Streetscene service delivery arrangements.
- (e) The Joint Waste Collection and Recycling Policy is updated to reflect the Council policy position as set out in this report.
- (f) Requests that the Chief Executive Officer in consultation with the Monitoring Officer investigate the relevant legislation in order to determine the County Council's obligations and responsibilities in respect of Highway adoption.

REASON FOR DECISION: This report proposes the Council's future policy position in regard to service delivery arrangements on new housing estates; at which, some roads may be un-adopted; and, seeks Cabinet's approval to enter in to 'indemnity agreements' with developers to ensure like standards and access to service delivery is afforded to residents as enjoyed by households residing along adopted roads.

The Chief Executive Officer has raised the issue with wider Derbyshire Chief Executive who shares the Council's concerns; further to which, it is recommended he writes to the County Council asking they review their policy position in light of revised '6C's Design Guide standards.

The Assistant Director Streetscene (ADS) has delegated authority (9.14 Constitution) to acquire, dispose of, grant and obtain rights in land and premises on such terms and conditions as considered appropriate. This report seeks Executive's approval for the ADS to enter in to agreements to ensure uniform standards and access to service delivery is afforded to residents.

OTHER OPTIONS CONSIDERED: In the absence of 'indemnity agreements' the Council may have need to designate collection points at the nearest public highway; which, may require residents to present bins over lengthy distances and result in obstruction to the highway\footway through multiple bin presentation and resulting in complaints.

(Chief Executive Officer/Assistant Director – Streetscene)

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0359. KEY DECISION WARDEN SERVICE CONTRACT – DERBYSHIRE COUNTY COUNCIL

The Assistant Director – Community Safety and Head of Housing (BDC) presented the report informing Members of an offer of an extension of contract from Derbyshire County Council to provide a warden service to older people. It was noted that the service was already in place and was also offered to private residents. The extension to the contract offered certainty for an additional year.

Moved by Councillor M. Dooley and seconded by Councillor A.M. Syrett

RESOLVED that (1) the Council accept the offer of a one year contract extension to continue to provide a warden service to older people within the District,

(2) That officers prepare for future tender opportunities to provide similar services within the District

REASON FOR DECISION: The service is well regarded by residents, and Bolsover District Council is a trusted provider

Accepting the offer of a contract extension is a positive outcome for customers and for the Council.

The Council continues to extend the service and attract more customers, the majority of whom self fund. This is part of a strategy to ensure that the Council are not dependent on DCC funding to operate the service, but would be self sufficient if we were not successful in winning future tenders.

The offer of a contract extension offers certainty for an additional year and should be accepted.

OTHER OPTIONS CONSIDERED: Not to accept the contract extension. Rejected as this would have a detrimental impact on vulnerable customers.

(Assistant Director – Community Safety and Head of Housing (BDC))

0360. KEY DECISION MEDIUM TERM FINANCIAL PLAN – BUDGET MONITORING QUARTER 2 APRIL TO SEPTEMBER

The Assistant Director – Finance and Revenues & Benefits presented the report which updated the Executive on the financial position of the Council following the second quarter's budget monitoring exercise for the General Fund, the Housing Revenue Account, Capital Programme and Treasury Management Activity.

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The following was a summary of the financial issues and implications which were covered in detail in the relevant sections throughout the report.

General Fund - The original budget for 2017/18 showed a funding gap of £0.170m. By the end of the second quarter, savings of £0.156m have been achieved against the target, leaving £0.014m still to be achieved. As savings are identified and secured they are moved in to the relevant cost centres within the main General Fund Directorates. Bearing in mind that significant establishment cost savings have been made in previous outturns, officers continue to review this position. In addition to the £0.058 removed from budgets after the first quarters monitoring, further adjustments will be made for quarter two.

HRA - In the second quarter, the HRA was showing a net under spend of £0.321m and there were no significant issues to report regarding the overall position for the HRA at the end of the second quarter.

Capital Expenditure - Whilst there were no significant financial issues to report regarding capital expenditure at the end of the second quarter, it must be noted that the delivery of the approved capital programme was behind the profiled position as at quarter 2. Officers would continue to closely monitor the delivery of the Programme.

Moved by Councillor A.M. Syrett and seconded by Councillor K. Reid

RESOLVED that (1) Executive notes the monitoring position of the General Fund at the end of the second quarter as detailed on Appendix 1 (A net favourable variance of £1.109m against the profiled budget) and the key issues highlighted within this report.

(2) Executive notes the position on the Housing Revenue Account (HRA), the Capital Programme and Treasury Management at the end of the second quarter (Appendices 2, 3 and 4).

REASON FOR DECISION: The report summarises the financial position of the Council following the second quarter's budget monitoring exercise for the General Fund, the Housing Revenue Account, Capital Programme and Treasury management activity.

OTHER OPTIONS CONSIDERED: The Budget Monitoring report for 2017/18 is primarily a factual report which details progress against previously approved budgets. Accordingly there are no alternative options to consider.

(Assistant Director – Finance and Revenues & Benefits)

The meeting concluded at 1049 hours.